

Message Text

LIMITED OFFICIAL USE

PAGE 01 USUN N 04409 022027Z

71

ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

SCA-01 SS-20 NSC-10 L-03 SY-10 PRS-01 CIAE-00 INR-10

NSAE-00 DRC-01 /144 W

----- 018087

R 021935Z NOV 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 730

LIMITED OFFICIAL USE USUN 4409

E.O. 11652: N/A

TAGS: UNGA, PINS

SUBJ: UNGA--LEGAL COMMITTEE--PROTECTION OF DIPLOMATS

1. DELOFF HAD LENGTHY BILATERAL WITH FEDOROV (USSR)
AFTER EVENING MEETING OF DRAFTING COMMITTEE NOV 1.
2. FEDOROV SAID HE UNDERSTOOD AFRICANS AND ARABS MAY BE
MOVING TO SUPPORT DELETE "REGARDLESS OF MOTIVE" FROM
ARTICLE 2. HE AGREED WITH US TO OPPOSE DELETION, AND WE
BOTH AGREE THAT IT WOULD HAVE BEEN BETTER NEVER TO HAVE
HAD THIS PHRASE IN TEXT SINCE IT THERE IT MUST BE
RETAINED. FEDOROV SAID WE SHOULD CONSIDER WHAT KIND
JOINT ACTION WE CAN TAKE TO PREVENT DELETION THIS PHRASE.
3. USSR AGREES TO TAKE ARTICLE 2A (ON JURISDICTION)
WITHOUT CHANGE.
4. DELOFF SAID US ANXIOUS TO GET DRAFTING IMPROVEMENTS
IN ALTERNATE B OF ARTICLE 12 (ON DISPUTE SETTLEMENT).
FEDOROV INSISTED THAT HE ONLY AUTHORIZED TO ACCEPT
HAGUE LANGUAGE WITHOUT CHANGE AND THAT US INSISTENCE
WOULD CAUSE DIFFICULTIES. A SUBSEQUENT APPROACH TO
KOLESNIK BY DELOFF MAY RESULT IN MORE FLEXIBLE APPROACH.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 USUN N 04409 022027Z

5. FEDOROV APPEALED TO DELOFF FOR SOME MENTION OF

"DIGNITY" IN ARTICLE 2. DELOFF REVIEWED PROBLEMS IN CREATING NEW SERIES OF OFFENSES RELATED TO DIGNITY RATHER THAN INURY TO PEOPLE AND SAID WE COULD NOT HAVE ENTIRE MECHANISMS APPLY TO SUCH CRIMES. AS RESULT OF LENGTHY DISCUSSION, ON PURELY PERSONAL BASIS, DELOFF SAID MOST US MIGHT BE ABLE TO AGREE TO, WOULD BE LANGUAGE TO INCLUDE IN A NEW THIRD PARA OF ARTICLE2, AS FOLLOWS:

"3. THE PRECEDING TWO PARAGRAPHS IN NO WAY DEROGATE FROM THE OBLIGATIONS OF STATES PARTIES UNDER INTERNATIONAL LAW TO TAKE ALL APPROPRIATE MEASURES TO PREVENT OTHER ATTACKS ON THE PERSON, FREEDOM OR DIGNITY OF AN INTERNATIONALLY PROTECTED PERSON."

NOV 2 KOLESNIK INDICATED PRELIMINARY, FAVORABLE REACTION TO WITHDRAWING SOVIET AMENDMENTS ON DIGNITY AND PRESTIGE AND PUTTING FORWARD ABOVE TEXT AS USSR TEXT, IN ADDITION TO ACCEPTING BRITISH REVISION OF ARGICLE 2, PARA 1.
SCALI

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 02 NOV 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973USUNN04409
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731157/aaaabpzzq.tel
Line Count: 80
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 09 OCT 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09-Oct-2001 by shawdg>; APPROVED <11-Dec-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNGA--LEGAL COMMITTEE--PROTECTION OF DIPLOMATS
TAGS: PINS, UR, UNGA
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005